

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS,
INC.,

Plaintiff,

v.

McVEA'S TRUCKING COMPANY LLC, a
Washington limited liability company,
d/b/a MTC Trucking Company, LLC,

Defendant.

No.

**COMPLAINT TO COLLECT
TRUST FUNDS**

I.

Plaintiff, Northwest Administrators, Inc., is an organization incorporated under the laws of the State of Washington, with its principal place of business in King County, and is the authorized administrative agency for and the assignee of the Western Conference of Teamsters Pension Trust Fund and the Washington Teamsters Welfare Trust Fund (hereinafter "Trusts").

II.

The Western Conference of Teamsters Pension Trust Fund is an unincorporated association operating as a Trust Fund pursuant to Section 302 of the

1 Labor Management Relations Act of 1947, as amended, to provide retirement benefits
2 to eligible participants.

3 III.

4 The Washington Teamsters Welfare Trust Fund is an unincorporated
5 association operating as a Trust Fund pursuant to Section 302 of the Labor
6 Management Relations Act of 1947, as amended, to provide medical benefits to
7 eligible participants.
8

9 IV.

10 This Court has jurisdiction over the subject matter of this action under Section
11 502(e)(1) and (f) of the Employee Retirement Income Security Act of 1974 ("ERISA"),
12 29 U.S.C. §1132(e)(1) and (f) and under §301(a) of the Taft-Hartley Act, 29 U.S.C.
13 §185(a).
14

15 V.

16 Venue is proper in this District under Section 502(e)(2) of ERISA, 29 U.S.C.
17 §1132(e)(2), because the plaintiff trust fund is administered in this District.

18 VI.

19 Defendant is a Washington limited liability company.

20 VII.

21 Defendant is bound to a collective bargaining agreement with Local 174 of the
22 International Brotherhood of Teamsters (hereinafter "Local"), under which the
23 Defendant is required to promptly and fully report for and pay monthly contributions to
24 the Trusts at specific rates for each hour of compensation (including vacations,
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1 holidays, overtime and sick leave) the Defendant pays to its employees who are
 2 members of the bargaining unit represented by the Local. Such bargaining unit
 3 members are any of the Defendant's part-time or full-time employees who perform any
 4 work task covered by the Defendant's collective bargaining agreements with the Local,
 5 whether or not those employees ever actually join the Local.

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 7 VIII.

8 Defendant accepted the Plaintiff's Trust Agreements and Declarations and
 9 agreed to pay liquidated damages equal to twenty percent (20%) of all delinquent and
 10 delinquently paid contributions due to the Trust, together with interest accruing upon
 11 such delinquent contributions at varying annual rates per annum from the first day of
 12 delinquency until fully paid, as well as attorney's fees and costs the Trusts incur in
 13 connection with the Defendant's unpaid obligations.

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 15 IX.

16 WESTERN CONFERENCE OF TEAMSTERS PENSION TRUST FUND

17 Since the 1st day of January 2021, Defendant has failed to promptly report for
 18 and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's
 19 records contain the detailed information necessary to an accurate determination of the
 20 extent of the Defendant's unpaid obligations to the Trust.

21
 22 X.

23 WASHINGTON TEAMSTERS WELFARE TRUST FUND

24 Since the 1st day of April 2021, Defendant has failed to promptly report for and
 25 pay to the Plaintiff Trust all amounts due as described above, and only Defendant's
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1 records contain the detailed information necessary to an accurate determination of the
2 extent of the Defendant's unpaid obligations to the Trust.

3 WHEREFORE, the Plaintiff prays to the Court as follows:

4
5 1. That Defendant be compelled to render a monthly accounting to the
6 Plaintiff's attorneys and set forth in it the names and respective social security numbers
7 of each of the Defendant's employees who are members of the bargaining unit
8 represented by the Local, together with the total monthly hours for which the Defendant
9 compensated each of them, for the employment period commencing January 2021 to
10 the date of service of this Complaint to collect Trust Funds for Western Conference of
11 Teamsters Pension Trust Fund (Account No. 415304) and for the employment period
12 commencing April 2021 to the date of service of this Complaint to collect Trust Funds
13 for Washington Teamsters Welfare Trust Fund (Account No. 121545), and for
14 whatever amounts may thereafter accrue;
15

16 2. That it be granted judgment against Defendant for:

- 17 a. All delinquent contributions due to the Trusts;
18 b. All liquidated damages and pre-judgment interest due to the
19 Trusts;
20 c. All attorney's fees and costs incurred by the Trusts in connection
21 with the Defendant's unpaid obligations; and
22 d. Such other and further relief as the Court may deem just and
23 equitable.
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1 DATED this 26th day of October, 2021.

2 Respectfully submitted,

3 REID, McCARTHY, BALLEW & LEAHY,
4 L.L.P.

5 By: 

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